

Remarks

Reconsideration of the present application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1-29 are pending in the application. Claims 1, 10, and 19 are independent. Claims 1 and 10 have been amended. Claims 1-29 have been rejected. These rejections are respectfully traversed.

Patentability of Claims 1-7, 10-16, 19-24, and 27-29 over Chapel and Kobel under 35 U.S.C. § 103

Claims 1-7, 10-16, 19-24, and 27-29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,628,009 to Chapel (hereinafter “Chapel”) in view of European Patent No. EP0324376 to Kobel et al. (hereinafter “Kobel”). These rejections are respectfully traversed.

Claim 1

Independent claim 1 recites in part: “a plurality of separate power information visual display sections disposed in the power distribution housing with at least one power information visual display section being associated with at least said one power output and at least a second power information visual display section being associated with at least said second power output; whereby said one power information visual display section may at least partially simultaneously report at the power distribution housing visible first phase information regarding said one power phase provided through said one power output and said second power information visual display section may report at the power distribution housing visible second phase information regarding said second power phase provided through said second power output” (emphasis added).

The applicants respectfully submit that Chapel does not teach or suggest any type of visual display sections disposed in a power distribution housing to at least partially simultaneously report phase information regarding power phases, let alone the type claimed or within the environment of the visual display sections claimed, as noted in the Office Action at Page 3.

The applicants respectfully submit that Kobel does not cure the deficiencies of Chapel. Although the Office Action relies upon Kobel for a three-phase measuring device, neither Kobel nor Chapel disclose separate power information visual display sections as claimed: [i] “disposed in the

power distribution housing” and [ii] “said one power information visual display section may at least partially simultaneously report at the power distribution housing visible first phase information regarding said one power phase provided through said one power output and said second power information visual display section may report at the power distribution housing visible second phase information regarding said second power phase provided through said second power output.” The Office Action does not assert otherwise. Thus, the asserted combination of Chapel and Kobel, even if the combination were proper, would not yield the claimed subject matter. The asserted combination therefore could not render the claimed subject matter obvious as a matter of law under Section 103.

The claimed subject matter is also allowable because the references fail to teach or suggest the advantages that flow from the claimed invention. In determining the differences between the prior art and the claims, the question under section 103 is not whether the differences *themselves* would have been obvious, but whether the claimed “*subject matter as a whole*” would have been obvious.

Stratoflex, Inc. v. Aeroquip Corp., 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983). Advantages of claimed subject matter are a part of the subject matter as a whole under section 103. “The invention as a whole embraces the structure, its properties [advantages], and the problem it solves [advantages it provides].” *In re Wright*, 84 F.2d 1216 (Fed. Cir. 1988). Advantages need not be included in the specification. *In re Chu*, 66 F.3d 292 (Fed Cir 1995). “In delineating the invention as a whole, we look not only to the subject matter which is literally recited in the claim in question . . . but also to those properties of the subject matter which are inherent in the subject matter and are disclosed in the specification.” *In re Antoinne*, 559 F.2d 618, 691 (CCPA 1977).

Thus, “[t]he relevance of such evidence [i.e., of advantages] is direct [under Section 103] in the sense that the new function [i.e., provided by an advantage] is a part of the inventive concept, the ‘subject as a whole,’ which must be obvious under Section 103.” Chisum, *Intellectual Property, Copyright, and Trademark*, 7-103, 104 (1980) (cited in Chisum’s treatise on Patents at Sectin 5.03[5]). Advantages are also inferential evidence of non-obviousness as part of the differences between the claimed invention and the prior art to be considered under the analysis articulated in *Graham v. John Deere Co. In re Dillon*, 991 F.2d 688 (Fed. Cir. 1990) (en banc), cert. denied 500 U.S. 904 (1991).

When applicable, the applicants’ discovery of a problem to be solved also is part of the subject matter as a whole and differences between the claimed subject matter and prior art. *Eibel Process Co.*

v. Minnesota & Ontario Paper Co., 261 U.S. 45, 67-78 (1923). “[A] patentable invention may lie in the discovery of a source of a problem even though the remedy may be obvious once the source of a problem is identified. This is *part* of the ‘subject matter as a whole’ which should always be considered in determining the obviousness of an invention under 35 U.S.C. Section 103. . . .” *In re Spinnoble*, 405 F.2d 578, 585-86 (CCPA 1969).

One exemplary advantage of the claimed subject matter is the ability to monitor “at the power distribution housing,” through the claimed “power information visual display sections” disposed in the “power distribution housing,” “visible first phase information regarding said one power phase provided through said one power output” and “visible second phase information regarding said second power phase provided through said second power output.” Claim 1. Previously, similar systems had only “a single current display visible to an operator along the face of the plugstrip in which the outputs are also mounted.” Specification at para. [0010]. As the Specification further states, at para. [0011]: “another problem with this type of prior art system is that it requires the operator to take the time and effort to stop whatever the operator may be doing, turn attention to the plugstrip, and press the display button on the plugstrip to cycle through and observe the current indicators for the various phases.”

The applicants submit that they were the first to discover the underlying problem created by the pre-existing, long-standing need for an operator to have to deal with a single current display along the face of a plugstrip and the time and effort needed to press a display button to see information for each phase, such information only being cycled through and never displayed simultaneously. Thus, the applicants then developed the claimed subject matter to provide novel advantages by use of the claimed subject matter (i) to at least partially simultaneously monitor information related to more than one power phase by looking only at the power distribution housing and (ii) without need for additional equipment of the prior art systems in the claimed environment.

The Office Action does not cite any of these factors – the applicants’ discovery of the problem to be solved or the resulting advantages – as part of the claimed subject matter as a whole under Section 103. On the contrary, the Office Action acknowledges undefined advantages of the claimed subject matter but does not acknowledge the source of the advantages being the applicants’ specification, not the cited references (*see* Office Action, page 3). The Office Action thus does not establish *prima facie* case of obviousness, as it did not consider the applicants’ discovery and the advantages as part of the claimed subject matter as a whole. Moreover, as discussed above, since these

aspects of the claimed subject matter as a whole are not taught or suggested by the asserted references, the claimed subject matter as a whole is allowable over the references as a matter of law.

In addition, the applicants note that Kobel was first published on July 19, 1989 – more than a decade before the applicants’ priority date of October 30, 2003. The applicants submit that such a sizeable timeframe, particularly given the rapid pace of technological development in the past twenty years, provides yet further evidence of nonobviousness of the applicants’ claimed invention to those skilled in the art. Had it been so obvious to somehow combine the cited references, including by making the requisite substantial modifications in them, to yield the claimed subject matter, then why is it that nobody has done so in the more than fourteen years since Kobel has been publicly available? The applicants thus respectfully submit that the Office Action’s asserted combination would not only yield less than the claimed subject matter as a whole but also is the result of the improper application of hindsight in assessing that subject matter. *Ecolochem, Inc. v. Southern California Edison Co.*, 227 F.3d 1361, 1372, 56 USPQ.2d 1065, 1073 (Fed. Cir. 2000). Moreover, was such an analysis proper, the applicants submit that every advantageous invention would be unpatentable.

In sum, claim 1 is allowable as a matter of law because of the lack of *prima facie* case of obviousness. Even assuming a *prima facie* case, the applicants have still rebutted the conclusion of obviousness based on the asserted combination’s inability to yield the claimed subject matter, the applicants’ discovery of the problem to be solved, and the absence of any teaching or suggestion of the advantages of the claimed subject matter. Accordingly, the applicants respectfully submit that the 35 U.S.C. § 103(a) rejection should be withdrawn from independent claim 1 and such action is respectfully requested.

Claim 2

Dependent claim 2 depends directly or indirectly from parent claim 1 and is allowable for at least the reasons recited above in support of parent claim 1. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest any type of current determination circuits disposed in a power distribution housing, much less “wherein said one power information visual display section comprises a first phase current visual display section and said second power information visual display section comprises a second phase current visual display section and wherein the apparatus also includes a plurality of current determination circuits

disposed in the power distribution housing with: (i) one current determination circuit intermediate said first phase current visual display section and said one power output; and (ii) a second current determination circuit intermediate said second phase current visual display section and said second power output,” as recited by dependent claim 2. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 2 be withdrawn.

Claim 3

Dependent claim 3 depends directly or indirectly from parent claim 1 and is allowable for at least the reasons recited above in support of parent claim 1. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a housing that includes at least one vertical rack mounting element, much less a power distribution housing that “is elongated and includes at least one vertical rack mounting element whereby the elongated housing may be mounted to extend vertically adjacent an equipment rack,” as recited by dependent claim 3. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 3 be withdrawn.

Claim 4

Dependent claim 4 depends directly or indirectly from parent claim 1 and is allowable for at least the reasons recited above in support of parent claim 1. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase alternating current power distribution apparatus “wherein (i) said plurality of power outputs includes at least a third power output being in power supply communication with a third power phase provided by the polyphase power input; and (ii) said plurality of power information visual display sections includes a third power information visual display section associated with said third power output,” as recited by dependent claim 4. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 4 be withdrawn.

Claim 5

Dependent claim 5 depends directly or indirectly from parent claim 1 and is allowable for at least the reasons recited above in support of parent claim 1. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase alternating current power distribution apparatus “wherein (i) said plurality of power outputs includes at least a third power output being in power supply communication with a third power phase provided by the polyphase power input; (ii) said plurality of power information visual display sections includes a third power information visual display section, comprising a third current visual display section, associated with said third power output; and (iii) said plurality of current determination circuits includes a third current determination circuit intermediate said third phase current visual display section and said third power output,” as recited by dependent claim 5. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 5 be withdrawn.

Claim 6

Dependent claim 6 depends directly or indirectly from parent claim 1 and is allowable for at least the reasons recited above in support of parent claim 1. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase power input including a neutral line or a neutral information monitor, much less a polyphase alternating current power distribution apparatus “wherein the polyphase power input includes a neutral line and the plurality of power information visual display sections includes a neutral information visual display section associated with the neutral line,” as recited by dependent claim 6. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 6 be withdrawn.

Claim 7

Dependent claim 7 depends directly or indirectly from parent claim 1 and is allowable for at least the reasons recited above in support of parent claim 1. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase power input including a neutral line or a neutral information monitor, much less a polyphase alternating current power distribution apparatus “wherein the polyphase power input includes a neutral line and the plurality of power information visual display sections includes a neutral information visual display section, comprising a neutral current visual display section, associated with the neutral line,” as

recited by dependent claim 7. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 7 be withdrawn.

Claim 10

Independent claim 10 recites “a plurality of separate power information visual display sections disposed in the power distribution housing with at least one power information visual display section being associated with said plurality of first phase power outputs and a second power information visual display section being associated with said plurality of second phase power outputs; whereby said one power information visual display section may display at the power distribution housing information regarding first phase power provided through said plurality of first power phase power outputs and said second power information visual display section may display at the power distribution housing information regarding second phase power provided through said plurality of second phase power outputs at least partially simultaneously” (emphasis added).

The applicants respectfully submit that Chapel does not teach or suggest any type of visual display sections disposed in a power distribution housing to display information regarding different phase power at least partially simultaneously, let alone the type claimed or within the environment of the visual display sections claimed, as noted in the Office Action at Page 3.

The applicants respectfully submit that Kobel does not cure the deficiencies of Chapel. Although the Office Action relies upon Kobel for a three-phase measuring device, neither Kobel nor Chapel disclose separate power information visual display sections as claimed: [i] “disposed in the power distribution housing” and [ii] “said one power information visual display section may display at the power distribution housing information regarding first phase power provided through said plurality of first power phase power outputs and said second power information visual display section may display at the power distribution housing information regarding second phase power provided through said plurality of second phase power outputs at least partially simultaneously.” The Office Action does not assert otherwise. Thus, the asserted combination of Chapel and Kobel, even if the combination were proper, would not yield the claimed subject matter. The asserted combination therefore could not render the claimed subject matter obvious as a matter of law under Section 103.

The claimed subject matter is also allowable because the references fail to teach or suggest the advantages that flow from the claimed invention. As explained in greater detail above, if aspects of the

subject matter as a whole, such as its advantages, are not taught or suggested by cited references, the combination does not yield the claimed subject as whole and therefore cannot render the subject matter as a whole obvious as a matter of law, as discussed above. As also explained in greater detail above, advantages are also inferential evidence of nonobviousness. One exemplary advantage of the claimed subject matter is the ability to monitor “at the power distribution housing,” through the claimed “power information visual display sections” disposed in the “power distribution housing,” “information regarding first phase power provided through said plurality of first power phase power outputs” and “information regarding second phase power provided through said plurality of second phase power outputs at least partially simultaneously.” Claim 10. Previously, as discussed above, similar systems had only “a single current display visible to an operator along the face of the plugstrip in which the outputs are also mounted” that required “the operator to take the time and effort to stop whatever the operator may be doing, turn attention to the plugstrip, and press the display button on the plugstrip to cycle through and observe the current indicators for the various phases.” Specification at para. [0010] and [0011].

As explained in greater detail above, discovery of a problem to be solved also is part of the subject matter as a whole and differences between the claimed subject matter and prior art, as discussed above. The applicants submit that they were the first to discover the underlying problem created by the pre-existing, long-standing need for an operator to have to deal with a single current display along the face of a plugstrip and the time and effort needed to press a display button to see information for each phase, such information only being cycled through and never displayed simultaneously. Thus, the applicants then developed the claimed subject matter to provide advantages by use of the claimed subject matter (i) to at least partially simultaneously monitor information related to more than one power phase by looking only at the power distribution housing and (ii) without need for additional equipment of the prior art systems in the claimed environment.

The Office Action does not cite any of these factors – the applicants’ discovery of the problem to be solved and the resulting advantages – as part of the claimed subject matter as a whole under Section 103. On the contrary, the Office Action acknowledges undefined advantages of the claimed subject matter but does not acknowledge the source of the advantages being the applicants’ specification, not the cited references (*see* Office Action, page 3). The Office Action thus does not establish a *prima facie* case of obviousness, as it does not consider the applicants’ discovery and the

advantages as part of the claimed subject matter as a whole. Moreover, as discussed above, since these factors are not taught or suggested by the asserted references, the claimed subject matter as a whole is allowable over the references as a matter of law.

In addition, the applicants note that the sizeable period of time between the publication of Kobel and the applicants' priority date provides yet further evidence of nonobviousness of the applicants' claimed invention to those skilled in the art, as discussed above.

In sum, claim 10 is allowable as a matter of law because of the lack of *prima facie* case of obviousness. Even assuming a *prima facie* case, the applicants have still rebutted the conclusion of obviousness based on the asserted combination's inability to yield the claimed subject matter, the applicants' discovery of the problem to be solved, and the absence of any teaching or suggestion of the advantages of the claimed subject matter. Accordingly, the applicants respectfully submit that the 35 U.S.C. § 103(a) rejection should be withdrawn from independent claim 10 and such action is respectfully requested.

Claim 11

Dependent claim 11 depends directly or indirectly from parent claim 10 and is allowable for at least the reasons recited above in support of parent claim 10. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest power information displays disposed along an elongated power output face or a power distribution housing that may be mounted adjacent an electrical equipment rack, much less a polyphase alternating current power distribution apparatus "wherein the power distribution housing (i) is elongated, (ii) has an elongated power output face, with the first phase power outputs, the second phase power outputs, and the power information visual display sections disposed along said elongated power output face, and (iii) includes at least one rack mounting section, whereby the power distribution housing may be mounted adjacent an electronic equipment rack," as recited by dependent claim 11. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 11 be withdrawn.

Claim 12

Dependent claim 12 depends directly or indirectly from parent claim 10 and is allowable for at

least the reasons recited above in support of parent claim 10. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase alternating current power distribution apparatus “also including (i) a plurality of third phase power outputs disposed in the power distribution housing in power supply communication with a third power phase provided the polyphase power input; and (ii) a third power information visual display section among the plurality of power information visual display sections and associated with the third phase power outputs,” as recited by dependent claim 12. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 12 be withdrawn.

Claim 13

Dependent claim 13 depends directly or indirectly from parent claim 10 and is allowable for at least the reasons recited above in support of parent claim 10. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase alternating current power distribution apparatus “also including (i) a plurality of third phase power outputs disposed in the power distribution housing, disposed along the elongated power output face, in power supply communication with a third power phase provided the polyphase power input; and (ii) a third power information visual display section among the plurality of power information visual display sections and associated with the third phase power outputs,” as recited by dependent claim 13. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 13 be withdrawn.

Claim 14

Dependent claim 14 depends directly or indirectly from parent claim 10 and is allowable for at least the reasons recited above in support of parent claim 10. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest any type of current display connected in collective current determining communication with multiple power outputs, much less a polyphase alternating current power distribution apparatus “wherein each among each of said one and said second power information visual display sections comprise a current display section connected in collective current determining communication with the associated plurality of power outputs for the power information visual display section,” as recited by dependent

claim 14. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 14 be withdrawn.

Claim 15

Dependent claim 15 depends directly or indirectly from parent claim 10 and is allowable for at least the reasons recited above in support of parent claim 10. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase power input including a neutral line or a neutral line information display, much less a polyphase alternating current power distribution apparatus “wherein said polyphase power input includes a neutral line and wherein said plurality of power information visual display sections includes a neutral line information display section in communication with the neutral line,” as recited by dependent claim 15. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 15 be withdrawn.

Claim 16

Dependent claim 16 depends directly or indirectly from parent claim 10 and is allowable for at least the reasons recited above in support of parent claim 10. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase power input including a neutral line or a neutral line information display, much less a polyphase alternating current power distribution apparatus “wherein said polyphase power input includes a neutral line and wherein said plurality of power information visual display sections also includes a neutral line information display section in current determining communication with the neutral line,” as recited by dependent claim 16. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 16 be withdrawn.

Claim 19

Independent claim 19 recites “means for displaying information regarding phase one power provided by the plurality of phase one output ports, said phase one displaying means being disposed in the power distribution apparatus housing” and “means for separately and at least partially simultaneously displaying information regarding phase two power provided by the plurality of phase

two output ports, said phase two displaying means being disposed in the power distribution apparatus housing” (emphasis added).

The applicants respectfully submit that Chapel does not teach or suggest any type of means for separately and at least simultaneously displaying information regarding power phases, wherein the means is disposed in a power distribution apparatus housing, let alone the type claimed or within the environment of the displaying means claimed, as noted in the Office Action at Page 3.

The applicants respectfully submit that Kobel does not cure the deficiencies of Chapel. Although the Office Action relies upon Kobel for a three-phase measuring device, neither Kobel nor Chapel disclose phase displaying means as claimed: [i] “means for displaying information regarding phase one power provided by the plurality of phase one output ports, said phase one displaying means being disposed in the power distribution apparatus housing” and [ii] “means for separately and at least partially simultaneously displaying information regarding phase two power provided by the plurality of phase two output ports, said phase two displaying means being disposed in the power distribution apparatus housing.” The Office Action does not assert otherwise. Thus, the asserted combination of Chapel and Kobel, even if the combination were proper, would not yield the claimed subject matter. The asserted combination therefore could not render the claimed subject matter obvious as a matter of law under Section 103.

The claimed subject matter is also allowable because the references fail to teach or suggest the advantages that flow from the claimed invention. As explained in greater detail above, ifaspects of the subject matter as a whole, such as its advantages, are not taught or suggested by cited references, the combination does not yield the claimed subject as whole and therefore cannot render the subject matter as a whole obvious as a matter of law, as discussed above. As also explained in greater detail above, advantages are also inferential evidence of nonobviousness. One exemplary advantage of the claimed subject matter is the ability to monitor through the claimed “phase displaying means” disposed in the “power distribution apparatus housing,” “information regarding phase one power provided by the plurality of phase one output ports” and, at least partially simultaneously, “information regarding phase two power provided by the plurality of phase two output ports.” Claim 19. Previously, as discussed above, similar systems had only “a single current display visible to an operator along the face of the plugstrip in which the outputs are also mounted” that required “the operator to take the time and effort to stop whatever the operator may be doing, turn attention to the plugstrip, and press the display button

on the plugstrip to cycle through and observe the current indicators for the various phases.”

Specification at para. [0010] and [0011].”

As explained in greater detail above, discovery of a problem to be solved also is part of the subject matter as a whole and differences between the claimed subject matter and prior art, as discussed above. The applicants submit that they were the first to discover the underlying problem created by the pre-existing, long-standing need for an operator to have to deal with a single current display along the face of a plugstrip and the time and effort needed to press a display button to see information for each phase, such information only being cycled through and never displayed simultaneously. Thus, the applicants then developed the claimed subject matter to provide advantages by use of the claimed subject matter (i) to at least partially simultaneously monitor information related to more than one power phase by looking only at the power distribution housing and (ii) without need for additional equipment of the prior art systems in the claimed environment.

The Office Action does not cite any of these factors – the applicants’ discovery of the problem to be solved and the resulting advantages – as part of the claimed subject matter as a whole under Section 103. On the contrary, the Office Action acknowledges undefined advantages of the claimed subject matter but does not acknowledge the source of the advantages being the applicants’ specification, not the cited references (*see* Office Action, page 3). The Office Action thus does not establish a *prima facie* case of obviousness, as it does not consider the applicants’ discovery and the advantages as part of the claimed subject matter as a whole. Moreover, as discussed above, since these factors are not taught or suggested by the asserted references, the claimed subject matter as a whole is allowable over the references as a matter of law.

In addition, the applicants note that the sizeable period of time between the publication of Kobel and the applicants’ priority date provides yet further evidence of nonobviousness of the applicants’ claimed invention to those skilled in the art, as discussed above.

In sum, claim 19 is allowable as a matter of law because of the lack of *prima facie* case of obviousness. Even assuming a *prima facie* case, the applicants have still rebutted the conclusion of obviousness based on the asserted combination’s inability to yield the claimed subject matter, the applicants’ discovery of the problem to be solved, and the absence of any teaching or suggestion of the advantages of the claimed subject matter. Accordingly, the applicants respectfully submit that the 35 U.S.C. § 103(a) rejection should be withdrawn from independent claim 19 and such action is

respectfully requested.

Claim 20

Dependent claim 20 depends directly or indirectly from parent claim 19 and is allowable for at least the reasons recited above in support of parent claim 19. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a housing that includes a vertical rack mounting section, much less a power distribution housing that a power distribution housing that “is elongated, has an elongated side to which the phase one displaying means and phase two displaying means are secured, and includes a vertical rack mounting section, whereby the power distribution apparatus may be vertically mounted adjacent a vertical side of an electronic equipment rack,” as recited by dependent claim 20. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 20 be withdrawn.

Claim 21

Dependent claim 21 depends directly or indirectly from parent claim 19 and is allowable for at least the reasons recited above in support of parent claim 19. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase power distribution apparatus “including (i) a plurality of phase three output ports disposed in the power distribution apparatus housing, and (ii) means for displaying information regarding phase three power provided by the plurality of phase three output ports, said phase three displaying means being disposed in the power distribution apparatus housing,” as recited by dependent claim 21. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 21 be withdrawn.

Claim 22

Dependent claim 22 depends directly or indirectly from parent claim 19 and is allowable for at least the reasons recited above in support of parent claim 19. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase power input that includes a neutral line or a neutral line displaying means, much less a polyphase power distribution apparatus “wherein (i) the polyphase power input includes a neutral line

and (ii) the polyphase power distribution apparatus also includes means for displaying information regarding the neutral line, said neutral line displaying means being disposed in the power distribution apparatus housing,” as recited by dependent claim 22. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 22 be withdrawn.

Claim 23

Dependent claim 23 depends directly or indirectly from parent claim 19 and is allowable for at least the reasons recited above in support of parent claim 19. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest a polyphase power input that includes a neutral line or a neutral line displaying means, much less a polyphase power distribution apparatus “wherein (i) the polyphase power input includes a neutral line and (ii) the polyphase power distribution apparatus also includes means for displaying information regarding the neutral line, said neutral line displaying means being disposed in the power distribution apparatus housing,” as recited by dependent claim 23. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 23 be withdrawn.

Claim 24

Dependent claim 24 depends directly or indirectly from parent claim 19 and is allowable for at least the reasons recited above in support of parent claim 19. It is also independently patentable.

For example, Chapel and Kobel, individually or in combination, do not teach or suggest any type of sensory alarm, much less a polyphase power distribution apparatus “wherein the phase one displaying means and phase two displaying means each include means for issuing a sensory alarm to a person proximate to the polyphase power distribution apparatus,” as recited by dependent claim 24. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 24 be withdrawn.

Patentability of Claims 8-9, 17-18, and 25-26 over Chapel, Kobel, and Arato under 35 U.S.C. § 103

Claims 8-9, 17-18, and 25-26 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of U.S. Patent No. 6,628,009 to Chapel (“Chapel”), European Patent No. EP0324376 to Kobel et al. (hereinafter “Kobel”), and U.S. Patent 4,528,497 to Arato (“Arato”).

Claim 8

Dependent claim 8 depends directly or indirectly from parent claim 1 and is allowable for at least the reasons recited above in support of parent claim 1. It is also independently patentable.

For example, Chapel, Kobel, and Arato, individually or in combination, do not teach or suggest a polyphase alternating current power distribution apparatus “wherein each among the plurality of power information visual display sections includes a sensory alarm, whereby a human in the vicinity of the power distribution housing may automatically receive sensory stimulation from said sensory alarm,” as recited by dependent claim 8. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 8 be withdrawn.

Claim 9

Dependent claim 9 depends directly or indirectly from parent claim 1 and is allowable for at least the reasons recited above in support of parent claim 1. It is also independently patentable.

For example, Chapel, Kobel, and Arato, individually or in combination, do not teach or suggest a polyphase alternating current power distribution apparatus “wherein each among the plurality of power information visual display sections includes a sensory alarm, whereby a human in the vicinity of the power distribution housing may automatically receive sensory stimulation from said sensory alarm,” as recited by dependent claim 9. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 9 be withdrawn.

Claim 17

Dependent claim 17 depends directly or indirectly from parent claim 10 and is allowable for at least the reasons recited above in support of parent claim 10. It is also independently patentable.

For example, Chapel, Kobel, and Arato, individually or in combination, do not teach or suggest a polyphase alternating current power distribution apparatus “wherein each of the power information visual display sections has an associated sensory alarm,” as recited by dependent claim 17. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 17 be withdrawn.

Claim 18

Dependent claim 18 depends directly or indirectly from parent claim 10 and is allowable for at least the reasons recited above in support of parent claim 10. It is also independently patentable.

For example, Chapel, Kobel, and Arato, individually or in combination, do not teach or suggest a polyphase alternating current power distribution apparatus “wherein each of the power information visual display sections has an associated audible alarm,” as recited by dependent claim 18.

Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 18 be withdrawn.

Claim 25

Dependent claim 25 depends directly or indirectly from parent claim 19 and is allowable for at least the reasons recited above in support of parent claim 19. It is also independently patentable.

For example, Chapel, Kobel, and Arato, individually or in combination, do not teach or suggest a polyphase power distribution apparatus “wherein each displaying means includes means for issuing a sensory alarm to a person proximate to the polyphase power distribution apparatus,” which is recited by dependent claim 25. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 25 be withdrawn.

Claim 26

Dependent claim 26 depends directly or indirectly from parent claim 19 and is allowable for at least the reasons recited above in support of parent claim 19. It is also independently patentable.

For example, Chapel, Kobel, and Arato, individually or in combination, do not teach or suggest a polyphase power distribution apparatus “wherein each displaying means includes means for issuing an audible alarm to a person proximate to the polyphase power distribution apparatus,” which is recited by dependent claim 26. Accordingly, the applicants respectfully request that the 35 U.S.C. § 103(a) rejection of dependent claim 26 be withdrawn.

Conclusion

The applicants respectfully submit that the claims in their present form should be allowed.
Early favorable action is respectfully requested.

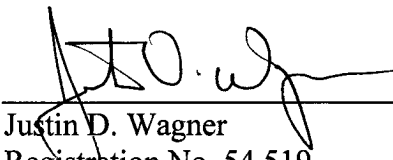
Should the Examiner have any remaining questions or concerns, the applicants request that the Examiner call the undersigned attorney to discuss them.

Respectfully submitted,

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